

Message Text

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ACTION EB-11

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FM AMCONSUL BOMBAY

TO SECSTATE WASHDC 3668

UNCLAS BOMBAY 0413

E. O. 11652: N/ A

TAGS: ETRN, IN

SUBJECT: APL COMPLAINT AGAINST TARIFF COMMISSION' S
INTERPRETATION REGARDING CARGO INSURANCE.

FOLLOWING TELEGRAM SENT ACTION AMEMBASSY NEW DELHI,
INFO CALCUTTA AND MADRAS DATED FEBRUARY 28, 1973
H/ W REPEATED TO YOU

QUOTE

1. AMERICAN PRESIDENT LINES (APL) REPRESENTATIVE MEHTA OF FORBES FORBES CAMPBELL & CO.(FFC) CONSULTED EMBASSY COMMERCIAL ATTACHE AND FSL SUBRAMANIAM IN DECEMBER 1972 RE BOMBAY REGIONAL TARIFF COMMISSION' S RULING THAT APL LINER " PRESIDENT ARTHUR" SUBJECT TO ADDITIONAL 15 PERCENT INSURANCE PREMIUM ON ITS CARGO SINCE IT HAD NOT CALLED AT 2 INDIAN PORTS IN PAST YEAR. PREVIOUSLY PRESIDENT ARTHUR CALLED INDIA REGULARLY. LINER LATER PLACED ON REGULAR PACIFIC SCHEDULE FOR TWO YEARS, BUT RESUMED REGULAR SERVICE TO BOMBAY IN 1972.
2. BOMBAY TARIFF COMMISSION' S DECISION AGAINST PRESIDENT ARTHUR CONTRADICTED MADRAS AND COCHIN REGIONAL TARIFF COMMISSION' S DECISIONS THAT NO LINER WHICH MAKES TWO PORT CALLS ANNUALLY ON SCHEDULED WORLDWIDE SERVICE IS LIABLE FOR 15 PERCENT PREMIUM.
3. BOMBAY TARIFF COMMISSION' S NARROW INTERPRETATION CHALLENGED BY LOCAL AHL REPRESENTATIVES, BUT NO SUBSEQUENT

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ACTION TAKEN BY BOMBAY COMMISSION PRIOR TO ITS DISSOLUTION AFTER NATIONALIZATION GENERAL INSURANCE COMPANIES. ADVERSE RULING STANDS UNTIL ESTABLISHMENT ALL- INDIA TARIFF COMMISSION IN FALL 1973. LOCAL APL REPS HAVE ATTEMPTED PERSUADE MANAGING DIRECTOR GENERAL INSURANCE CORPORATION S. K. DESAI AND HOLDING SECRETARY OF TARIFF COMMISSION SETHI TO RULE ON INSURANCE STATUS OF PRESIDENT ARTHUR NEXT SCHEDULED CALL BOMBAY MARCH 6, 1973, BUT NO ONE WILLING MAKE DECISION IN ABSENCE OF TARIFF COMMISSION. FFC HAVE GIVEN SETHI WRITTEN COMMITMENT GUARANTEEING TWO CALLS YEARLY BY PRESIDENT ARTHUR TO INDIAN PORTS AND AGREED PAY ADDITIONAL 15 PERCENT INSURANCE PREMIUM IF IT FAILED MEET THIS REQUIREMENT.

4. FFC REPRESENTATIVES HAVE ADVISED US MR. P. COTTON OF APC WILL CALL ON COMMERCIAL ATTACHE IN DELHI NEXT DAY OR TWO DISCUSS THIS MATTER.

5. FROM OUR DISCUSSIONS WITH MEHTA AND TATA OF FNC IT APPEARS ONLY RECOURSE AT THIS JUNCTURE IS TO APPROACH COMPTROLLER OF INSURANCE IN SIMLA, MR. DAMLE, FOR DECISION BEFORE LINER'S NEXT CALL SCHEDULED MARCH 6. UNQUOTE
BANE

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